

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2007-246-C – ORDER NO. 2007-748
OCTOBER 23, 2007

IN RE: Petition of the Office of Regulatory Staff for) ORDER GRANTING
Commission to Order a Rule to Show Cause as) RULE TO SHOW
to Why the Certificates of Public Convenience) CAUSE AND
and Necessity for Certain Providers of) REVOKING
Telecommunications Services Should Not Be) CERTIFICATES
Revoked.)

This matter comes before the Public Service Commission of South Carolina (“the Commission”) by way of the Petition for a Rule to Show Cause as to why Certificates of Public Convenience and Necessity (“Certificates”) of certain telecommunications companies should not be revoked for failure to file annual reports and Universal Service Fund reports. ORS’s Petition was filed with the Commission on June 26, 2007. The Commission is responsible for the regulation of telephone utilities operating for compensation as set forth in S.C. Code Ann. §58-9-10 et seq. (Supp. 2006).

The telecommunications companies listed in Exhibit A to ORS’s Petition are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-9-710 et seq. (1976 & Supp. 2006). Further, these telecommunications companies have submitted themselves to the jurisdiction of the Commission by virtue of holding a Certificate of Public Convenience and Necessity as indicated in Exhibit A.

Telecommunications companies holding a Certificate are required to file annual reports. “Subject to the approval of the Commission, the Office of Regulatory Staff may

require any telephone utility to file annual reports in such form and of such content as the Office of Regulatory Staff may require and special reports concerning any matter about which the Office of Regulatory Staff is authorized to inquire or to keep itself informed or which it is required to enforce.” S.C. Code Ann. § 58-9-370(A) (Supp. 2006).

Additionally, Commission regulations provide:

[t]he telephone utility shall file the following documents and information:

1. Annual Report. Each telephone utility operating in the State shall file an annual report with the commission and provide a copy to the ORS, giving such information as the commission may direct.

26 S.C. Code Regs 103-612.1.

Pursuant to S.C. Code Ann. §58-4-10, et seq., (Supp. 2006), the ORS is charged with the duty to protect the public interest.

ORS developed a list of the telecommunications companies that have failed to file the requisite annual reports for the year ending 2006. ORS attached the list as Exhibit A to ORS's Petition. On July 31, 2007, ORS pre-filed the direct testimony of Ms. Jeanne Gordon advising the Commission of those companies that had failed to file the required reports and included as Exhibit JG-2 a list showing those that had come into compliance since the filing of the Petition.

On July 5, 2007, the Commission set this matter for a hearing on September 11, 2007 at 2:30 p.m.

A formal hearing regarding this matter was held on September 11, 2007, at 2:30 p.m. ORS was represented by Shealy Boland Reibold, Esquire, and Nanette S. Edwards, Esquire. Jeanne Gordon, database manager, testified for ORS.

At the hearing, Ms. Gordon presented testimony that certain companies certificated by the Commission to provide telecommunications services have failed to file the required annual reports. Further, Ms. Gordon testified that, since the filing of the Petition in this matter, certain of the telecommunications companies named in the Petition have come into compliance with the Commission's rules and regulations. At the hearing, ORS submitted a revised Exhibit JG-1 listing those companies which remained out of compliance as well as a revised Exhibit JG-2 which indicated those companies named in the Petition that had since come into compliance.

The Commission finds that the Petition should be dismissed as to the companies who have complied with S.C. Code Ann. § 58-9-370(A) (Supp. 2006) and with the Commission's Rules and Regulations as of the date of the hearing in this matter. The Commission is also of the opinion, and so finds, that the Certificates of Public Convenience and Necessity held by the companies which are the subject of this Petition (attached as an Appendix to this Order, labeled "Appendix A" and made a part of the record in this matter) should be revoked and cancelled for their continued willful violation of the Commission's Rules and Regulations and laws concerning reporting requirements of telecommunications carriers.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

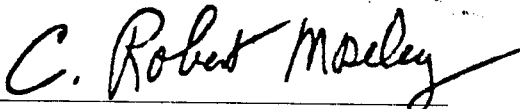
1. That the Certificates of Public Convenience and Necessity held by those companies listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.
2. That all operating rights authorized under the Certificates held by the companies listed in the attached Appendix and cancelled by this Order are null and void.
3. That this Petition be, and hereby is, dismissed with respect to all companies who have complied with S.C. Code Ann. § 58-9-370(A) (Supp. 2006) and with the Commission's Rules and Regulations.
4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman

(SEAL)

APPENDIX A 2007-246-C Out of Compliance

	OrganizationName	Registered Agent	Secretary of State Status	Foreign or Domestic	Docket #	Order #	Date Certificate Issued
	Accxx Communications, LLC						
	James Anderson 4035 Tampa Road Oldsmar FL 34677	TCS Corporate Services 2 Office Park Ct. - Suite 103 Columbia SC 29223	Good Standing	Foreign	2002-190-C	2003-167	03/24/03
1	Buehner-Fry, Inc. dba Resort Operator Jill K. Anderson 40 NW Greenwood Ave Bend OR 97701	Prentice Hall Corp. 5000 Thurmond Mall Blvd. Columbia SC 29201	Reinstatement	Foreign	1994-737-C	1995-1049	05/10/95
2	Group Long Distance Tina Terce - Regulatory Contact PO Box 534 Ringoes NJ 08551	B. Allston Moore, Jr. 5 Exchange St. Charleston SC 29401	Good Standing	Foreign	1993-478-C	1994-22	01/06/94
3	Promise Vision Technology, Inc. Carl Thompson - President 1050 East 2nd #212 Edmond OK 73034	Business Filings International Inc. 75 Beattie Place Greenville SC 29601	Good Standing	Foreign	2000-92-C	2000-793	09/27/00
4	R2C Communications, Inc. Dennis Bay - President 9532 Mission Road #25 Overland Park KS 66206	TCS Corporate Services 2 Office Park Ct. - Suite 103 Columbia SC 29223	Good Standing	Foreign	2003-260-C	2004-428	09/10/04
5	Symtelco, LLC Amy L. Thrasher c/o Technologies Mgmt., Inc. PO Drawer 200 Winter Park FL 32790-0200	C T Corp. System 75 Beattie Place Two Insignia Financial Plaza Greenville SC 29601	Good Standing	Foreign	2004-334-C	2005-124	03/16/05
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